

ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

520 CAPITOL MALL, SUITE 350
SACRAMENTO, CA 95814-4721

TEL: (916) 444-6201
FAX: (916) 444-6209

cmccarthy@adamsbroadwell.com

SO. SAN FRANCISCO OFFICE

601 GATEWAY BLVD., SUITE 1000
SO. SAN FRANCISCO, CA 94080

TEL: (650) 589-1660
FAX: (650) 589-5062

MILA A. BUCKNER
DANIEL L. CARDOZO
CHRISTINA M. CARO
THOMAS A. ENSLOW
TANYA A. GULESSERIAN
MARC D. JOSEPH
RACHAEL E. KOSS
COLLIN S. MCCARTHY
LINDA T. SOBCZYNSKI

April 18, 2018

Via Email and Hand Delivery

ITEM8.F.

ATTN: Architectural Committee
Gloria Sciara
Planning Commission Staff Liaison
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050
Email: GSciara@santaclara.gov

Steve Le
Planning Division
Email: sle@santaclaraca.gov

**Re: 2305 Mission College Boulevard Data Center Project – Mitigated
Negative Declaration and Architectural Approval (PLN2017-
12535 and CEQ2017-01034)**

Dear Architectural Committee Members:

We are writing on behalf of **California Unions for Reliable Energy (“CURE”)** to urge the Committee to deny the proposed Mitigated Negative Declaration (“MND”) and Architectural Approval for the 2305 Mission College Boulevard Data Center Project (“Project”). The Project, which is proposed by PR III 2305 Mission College Boulevard, LLC, involves the construction of a 495,610 square-foot data center facility that would include 60 megawatts (“MW”) of informational technology power, a generator yard, an equipment yard for battery and electrical equipment, and parking. The Project would include 120 diesel-fueled engine generators to provide 75 MW of backup power generation capacity. The Project also proposes to construct a new 90 megavolt amps Silicon Valley Power electrical substation. The 15.7-acre Project site is located at 2305 Mission College Boulevard in the City of Santa Clara.

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CURE is a coalition labor organizations whose members construct, operate, and maintain powerplants and other industrial facilities throughout California. CURE advocates for sustainable development of California's energy and natural resources. Environmental degradation consumes limited natural resources and jeopardizes future jobs by making it more difficult and expensive for industry to expand, including in Santa Clara County. Because CURE's participating organizations and their members live, recreate, work, and raise families in the City of Santa Clara and Santa Clara County, CURE's participating organizations and their members stand to be directly affected by the Project's adverse environmental and health impacts.

Our firm previously submitted comments on behalf of CURE on the Initial Study and MND prepared for the Project. Our comments were prepared with the assistance of technical expert Dr. Phyllis Fox, Ph.D, CEQ, PE, DEE. As detailed therein, we identified potentially significant and unmitigated impacts due to operational noise, nitrogen oxide (NOx) emissions from the Project's backup diesel generators, and greenhouse gas (GHG) emissions resulting in part from the Project's substantial energy demand. Dr. Fox's comments further demonstrated that fugitive dust emissions generated during the Project's construction phase may also cause significant air quality impacts. Based on these potentially significant and unmitigated impacts, as well as other deficiencies in the Initial Study, our comments concluded that the MND in its current form and substance violates CEQA and that an Environmental Impact Report is required for the Project. Our previous comments on the Initial Study and MND are incorporated in this letter by reference.

We write to you today not to repeat the points made in our MND comment letter relating to CEQA compliance, but to comment that the Project fails to comply with the Santa Clara City Code. As a result, the Committee cannot make the required findings of consistency.

Santa Clara City Code Section 18.76.020, subsection (c), provides that the Committee must find that the Project is based on the following standards of architectural design, among others:

(2) That the design and location of the proposed development and its relation to neighboring developments and traffic is such that it will not impair the desirability of investment or occupation in the neighborhood, will not unreasonably interfere with the use and enjoyment of neighboring developments, and will not create traffic congestion or hazard.

...

(4) That the granting of such approval will not, under the circumstances of the particular case, materially affect adversely the health, comfort or general welfare of persons residing or working in the neighborhood of said development, and will not be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.¹

As our comments on the MND explain, substantial evidence shows that the Project may have several significant impacts on the environment notwithstanding the proposed mitigation measures. These impacts, which directly relate to the Project's potential impacts on public health and the use and enjoyment of neighboring properties, are also such that the Committee cannot properly make the above findings based on the current Project proposal.

First, the Project's potentially significant and unmitigated noise impacts resulting from emergency equipment operations would impair the desirability of occupation in the neighborhood and unreasonably interfere with the use and enjoyment of neighboring residents. The Project's noise impacts may also materially affect the comfort and general welfare of persons residing or working in areas near the Project site. As our MND comments explained, the MND fails to incorporate the mitigation measures that the City's own noise consultant determined are necessary for the Project to comply with the City's residential noise limits during the testing of emergency equipment. The Initial Study also fails to disclose and evaluate the noise impacts resulting from simultaneous operation of the Project's backup generators, as will occur in the event of a power disruption. It is reasonably foreseeable that the Project's backup generators will be required to operate simultaneously, which is why the emergency equipment is included in the Project. And it follows from the City's noise analysis that noise impacts will be greatest during emergency

¹ S.C.C.C. § 18.76.020(c) (Underline added).

operations. For this reason, further environmental review and mitigation is necessary before the Committee can conclude that generator operations would not unreasonably interfere with the use and enjoyment of neighboring properties, or adversely impact public welfare.

Furthermore, simultaneous operation of the Project's backup generators may cause significant air quality impacts due to NO_x emissions. The City's air quality assessment demonstrates that NO_x emissions from simultaneous operation of the 120 backup diesel generators may exceed the Bay Area Air Quality Management District threshold of significance in the case of a power outage. However, Mitigation Measure MM AIR-2 only mitigates impacts resulting from generator operations during routine testing and maintenance. NO_x emissions are a precursor to ozone, and ground-level ozone is known to contribute to a number of adverse public health impacts, including: causing difficulty breathing; aggravating lung diseases such as asthma, emphysema, and chronic bronchitis; and making the lungs more susceptible to infection, among others harmful effects.

Finally, as our comments on the Initial Study and MND further explain, GHG emissions resulting from the Project's operations may exceed the BAAQMD's numeric threshold of significance for land use projects, particularly when the Project's substantial electricity demand is accounted for. The Project's overall GHG emissions are not quantified in the Initial Study, but the City concludes that the Project's impacts would be less than significant because the Project is consistent with the Climate Action Plan ("CAP"), the General Plan, and other state and regional GHG reduction programs. However, few of the applicable measures discussed in the Initial Study will meaningfully reduce GHG emissions resulting from operation of the data center. Climate change is an impact that not only adversely affects those in the immediate vicinity of the Project, but all Californians in the form of increased drought, wildfires, and rising sea levels. Thus, approval of the Project in its current form may also adversely affect public welfare in this regard.

For each of the reasons above, we urge the Committee not to adopt the MND or approve the Project at this time. The City's analysis in the Initial Study and MND does not support a finding that the Project will not unreasonably interfere with the use and enjoyment of neighboring developments, or that approval will not materially affect adversely the welfare of persons residing or working in the neighborhood of the Project. We request that the Committee deny architectural

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approval and direct that further environmental review be performed in order to adequately disclose, analyze, and mitigate the Project's environmental and public health impacts.

Sincerely,

A handwritten signature in black ink, appearing to read "Collin S. McCarthy", with a long horizontal flourish extending to the right.

Collin S. McCarthy

CSM:ljl